

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA,)	
)	
)	
v.)	CR-04-94-B-W
)	
NHU PHONG NGUYEN,)	
)	
Defendant)	

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on February 15, 2005 her Recommended Decision. Defendant filed his objections to the Recommended Decision on February 18, 2005. I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.

2. It is further ORDERED that the Defendant's Motion to Suppress (Docket #16) is DENIED as it relates to the seizure of the evidence from Defendant and the van and GRANTED as it relates to post-Miranda statements made by the Defendant.

/s/John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 21st day of March, 2005.

Defendant

NHU PHONG NGUYEN (1)

represented by **JON HADDOW**
FARRELL, ROSENBLATT &
RUSSELL
P.O. BOX 738
BANGOR, ME 4402-738
(207) 990-3314
Email: jah@frrlegal.com
ATTORNEY TO BE NOTICED
Designation: Retained

Plaintiff

USA

represented by **DANIEL J. PERRY**
OFFICE OF THE U.S.
ATTORNEY
DISTRICT OF MAINE
P.O. BOX 2460
BANGOR, ME 04402-2460
945-0344
Email: dan.perry@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED